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*Proposed Counsel to the Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	CHAPTER 11
)	
K.G. IM, LLC)	
	)	CASE NO. 20-11723
Debtor.)	
)	
Tax I.D. No. 20-0688556)	
)	
In re:	)	CHAPTER 11
)	
IL MULINO USA, LLC)	
	)	CASE NO. 20-11724
Debtor.)	
)	
Tax I.D. No. 43-2041682)	
)	
In re:	)	CHAPTER 11
)	
IM LLC – III)	
	)	CASE NO. 20-11725
Debtor.)	
)	
Tax I.D. No. 20-0122613)	
)	

In re:	)	CHAPTER 11
)	
IMNYLV, LLC)	
	)	CASE NO. 20-11726
Debtor.)	
)	
Tax I.D. No. 20-0119805)	
)	
In re:	)	CHAPTER 11
)	
IM NY, FLORIDA, LLC)	
	)	CASE NO. 20-11727
Debtor.)	
)	
Tax I.D. No. 20-2919385)	
)	
In re:	)	CHAPTER 11
)	
IM NY, PUERTO RICO, LLC)	
	)	CASE NO. 20-11728
Debtor.)	
)	
Tax I.D. No. 20-2920901)	
)	
In re:	)	CHAPTER 11
)	
IMNY AC, LLC)	
	)	CASE NO. 20-11729
Debtor.)	
)	
Tax I.D. No. 26-0325082)	
)	
In re:	)	CHAPTER 11
)	
IM PRODUCTS, LLC)	
	)	CASE NO. 20-11730
Debtor.)	
)	
Tax I.D. No. 20-2610303)	
)	

In re:	)	CHAPTER 11
)	
IM LONG ISLAND RESTAURANT GROUP, LLC	)	CASE NO. 20-11731
)	
Debtor.)	
)	
Tax I.D. No. 20-1051623)	
)	
In re:	)	CHAPTER 11
)	
IM LONG ISLAND, LLC	)	CASE NO. 20-11732
)	
Debtor.)	
)	
Tax I.D. No. 20-1051488)	
)	
)	
In re:	)	CHAPTER 11
)	
IM FRANCHISE, LLC	)	CASE NO. 20-11733
)	
Debtor.)	
)	
Tax I.D. No. 20-2750565)	
)	
)	
In re:	)	CHAPTER 11
)	
IM 60TH STREET HOLDINGS, LLC	)	CASE NO. 20-11734
)	
Debtor.)	
)	
Tax I.D. No. 45-4859997)	
)	
)	
In re:	)	CHAPTER 11
)	
IM BROADWAY, LLC	)	CASE NO. 20-11735
)	
Debtor.)	
)	
Tax I.D. No. 46-5124335)	
)	
)	

In re:	)	CHAPTER 11
)	
IMNY HAMPTONS, LLC)	
	)	CASE NO. 20-11736
Debtor.)	
)	
Tax I.D. No. 82-3940423)	
)	
In re:	)	CHAPTER 11
)	
IM PAYROLL LLC)	
	)	CASE NO. 20-11778
Debtor.)	
)	
Tax I.D. No. 46-3050807)	
)	
)	

**DEBTORS' AMENDED MOTION FOR ENTRY
OF AN ORDER (I) DIRECTING JOINT ADMINISTRATION
OF RELATED CHAPTER 11 CASES AND (II) GRANTING RELATED RELIEF**

K.G. IM, LLC and its affiliated debtors and debtors in possession (each a “**Debtor**” and collectively, the “**Debtors**”), by and through their undersigned proposed counsel, hereby submit this *Amended Motion for Entry of an Order (I) Directing Joint Administration of Related Chapter 11 Cases and (II) Granting Related Relief* (the “**Motion**”). In support of the Motion, the Debtors respectfully represents as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.). This is a core proceeding pursuant to 28 U.S.C. § 157(b) and, pursuant to Rule 7008 of the Federal Rules of Bankruptcy Procedures (the “**Bankruptcy Rules**”), the Debtors consent to entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter a final order or

judgment consistent with Article III of the United States Constitution. Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

RELIEF REQUESTED

2. By this Motion, the Debtors respectfully request entry of an order (a) directing the joint administration of these chapter 11 cases for procedural purposes only and (b) granting related relief.

3. In furtherance of the foregoing, the Debtors request that the official caption to be used by all parties in all papers in the jointly administered cases be as follows:

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	CHAPTER 11
)	
K.G. IM, LLC, <i>et al.</i> , ¹)	
	)	CASE NO. 20-11723 (MG)
Debtors.)	
	)	(Jointly Administered)
)	

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number (if any), include: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613); IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll LLC (0807). For the purpose of these chapter 11 cases, the service address for the Debtors is: 1761 Yardley Langhorne Rd Yardley PA 19067.

4. The Debtors also request that the Court make a separate docket entry on the docket of each of the Debtors, other than K.G. IM, LLC, to reflect joint administration of these chapter 11 cases:

An Order has been entered in accordance with Rule 1015(b) of the Federal Rules of Bankruptcy Procedure directing joint administration of the chapter 11 cases of: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613);

IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll LLC (0807). **All further pleadings and other papers shall be filed in and all further docket entries shall be made in Case No. 20-11723 (MG).**

5. The Debtors also seek authority to file their monthly operating reports required by the Operating Guidelines and Reporting Requirements for Debtors in Possession and Trustees, issued by the United States Trustee for the Southern District of New York (the “**U.S. Trustee**”), by consolidating the information required for each Debtor in one report that tracks and breaks out all of the specific information (e.g., receipts, disbursements, etc.) on a debtor-by-debtor basis in each monthly operating report.

BACKGROUND

6. On July 28, 2020 (the “**Petition Date**”), each Debtor filed a voluntary petition for relief pursuant to chapter 11 of the Bankruptcy Code. An additional Debtor, IM Payroll, LLC filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code on July 31, 2020. The Debtors are operating their business and managing their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner or official committee of unsecured creditors has been appointed in these chapter 11 cases.

BASIS FOR RELIEF

7. Bankruptcy Rule 1015(b) provides, in relevant part, that if “two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates.” The Debtors are “affiliates” as that term is defined under section 101(2) of the Bankruptcy Code. Accordingly, the Court is authorized to grant the requested relief.

8. Courts in this jurisdiction routinely order joint administration in cases with multiple related debtors. *See, e.g., In re LATAM Airlines Group, S.A.*, Case No. 20-11254 (JLG) (Bankr. S.D.N.Y. May 27, 2020); *In re Frontier Communications Corporation*, Case No. 20-22476 (RDD) (Bankr. S.D.N.Y. Apr. 17, 2020); *In re Stearns Holdings, LLC*, Case No. 19-12226 (SCC) (Bankr. S.D.N.Y. Jul. 10, 2019); *In re Trident Holding Co., LLC*, No. Case 19-10384 (SHL) (Bankr. S.D.N.Y. Feb. 12, 2019); *In re Nine West Holdings, Inc.*, No. Case 18-10947 (SCC) (Bankr. S.D.N.Y. Apr. 19, 2018); *In re Cenveo, Inc.*, Case No. 18-22178 (RDD) (Bankr. S.D.N.Y. Feb. 5, 2018); *In re Glob. A&T Elecs. Ltd.*, Case No. 17-23931 (RDD) (Bankr. S.D.N.Y. Dec. 19, 2017); *In re 21st Century Oncology Holdings, Inc.*, Case No. 17-22770 (RDD) (Bankr. S.D.N.Y. May 26, 2017); *In re BCBG Max Azria Glob. Holdings, LLC*, Case No. 17-10466 (SCC) (Bankr. S.D.N.Y. Mar. 2, 2017).

9. The rights of the respective creditors will not be adversely affected by joint administration of these cases because the relief sought in this Motion is purely procedural and is in no way intended to affect substantive rights.

NOTICE

10. Notice of this Motion has been provided to: (a) the Office of the United States Trustee for the Southern District of New York; (b) the Debtors' twenty (20) largest unsecured creditors; (c) counsel to the secured lender; and (d) any party that has requested notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, the Debtors respectfully submits that no further notice is necessary.

NO PRIOR REQUEST

11. No prior request for the relief sought in the Motion has been made to this or any other court.

CONCLUSION

WHEREFORE, the Debtors requests this Court enter an order, substantially in the form of **Exhibit A**, granting the relief requested herein and such other and further relief as the Court may deem just and proper.

Dated: July 31, 2020

ALSTON & BIRD LLP

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*Proposed Counsel to the Debtors and
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EXHIBIT A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	CHAPTER 11
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In re:)	CHAPTER 11
)	
IM PAYROLL, LLC)	
)	CASE NO. 20-11778
Debtor.)	
)	
Tax I.D. No. 46-3050807)	
)	
)	

**AMENDED ORDER (I) DIRECTING JOINT ADMINISTRATION
OF RELATED CHAPTER 11 CASES AND (II) GRANTING RELATED RELIEF**

Upon the motion (the “**Motion**”)¹ of the Debtors for an order (this “**Order**”) (i) directing joint administration of these cases for procedural purposes only, and (ii) granting related relief, all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.); and consideration of the Motion and the relief requested therein being a core proceeding under 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to the Notice Parties, and it appearing that no other or further notice need be provided; and the Court having reviewed the Motion and held a hearing to consider the relief requested in the Motion on a final basis (the “**Hearing**”); and upon the First Supplemental First Day Declaration, filed contemporaneously with the Motion, and the record of the Hearing; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and the Court having determined that the relief granted herein is in the best interests of the Debtors, their estates, creditors and all parties in interest; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor;

ORDERED, ADJUDGED, and DECREED THAT:

1. The Motion is granted to the extent set forth below.
2. The above-captioned chapter 11 cases are consolidated for procedural purposes only and shall be jointly administered by the Court under Case No. 20-11723.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

3. The caption of the jointly administered cases should read as follows:

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	CHAPTER 11
)	
K.G. IM, LLC, <i>et al.</i> , ¹)	
)	CASE NO. 20-11723 (MG)
Debtors.)	
)	(Jointly Administered)
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¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number (if any), include: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613); IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll, LLC (0807). For the purpose of these chapter 11 cases, the service address for the Debtors is: 1761 Yardley Langhorne Rd Yardley PA 19067.

4. A docket entry substantially similar to the following notation shall be entered on the docket of each Debtor's case to reflect the joint administration of these cases:

An Order has been entered in accordance with Rule 1015(b) of the Federal Rules of Bankruptcy Procedure directing joint administration of the chapter 11 cases of: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613); IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll LLC (0807). **All further pleadings and other papers shall be filed in and all further docket entries shall be made in Case No. 20-11723.**

5. The Debtors shall maintain, and the Clerk of the United States Bankruptcy Court for the Southern District of New York shall keep, one consolidated docket, one file, and one consolidated service list for these chapter 11 cases.

6. The Debtors may file their monthly operating reports required by the Operating Guidelines and Reporting Requirements for Debtors in Possession and Trustees, issued by the U.S. Trustee, by consolidating the information required for each Debtor in one report that tracks and breaks out all of the specific information (e.g., receipts, disbursements, etc.) on a debtor-by-debtor basis in each monthly operating report.

7. Nothing contained in the Motion or this Order shall be deemed or construed as directing or otherwise effecting a substantive consolidation of these chapter 11 cases, and this Order shall be without prejudice to the rights of the Debtors to seek entry of an order substantively consolidating their respective cases.

8. The Debtors are authorized to take all such actions as are necessary or appropriate to implement the terms of this Order.

9. The Court finds and determines that the requirements of Bankruptcy Rule 6003 are satisfied and that the relief requested is necessary to avoid immediate and irreparable harm.

10. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: _____
New York, New York

UNITED STATES BANKRUPTCY JUDGE